
HOUSE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND
WILDLIFE SERVICE TO WORK WITH AFFECTED PERSONS AND COUNTIES
TO ESTABLISH REASONABLE CRITICAL HABITAT DESIGNATIONS FOR
ENDANGERED SPECIES IN THE STATE.

1 WHEREAS, the United States Fish and Wildlife Service has
2 recently proposed to designate 271,062 acres in Maui County as
3 critical habitat for endangered species, which is more than
4 double the amount of critical habitat already designated on the
5 islands of Maui, Molokai, Lanai, and Kahoolawe; and
6

7 WHEREAS, on Maui, more than 190,000 acres are proposed for
8 Critical Habitat Designation, which is equivalent to about 41
9 percent of the total land area of Maui; and
10

11 WHEREAS, this overly-broad proposed Critical Habitat
12 Designation affecting state, county, and private lands will have
13 a negative impact on Maui County, and opponents describe this
14 proposal as the taking of land without compensation; and
15

16 WHEREAS, an environmental impact statement should be
17 considered before the proposed Critical Habitat Designation is
18 finalized; and
19

20 WHEREAS, the proposed Critical Habitat Designation has the
21 potential to adversely affect landowners due to restrictions on
22 future use, lower property values, and increased lawsuits by
23 activists; it may also require costly and lengthy consultations
24 between affected parties and government agencies, stymie
25 decision-making by state and county governments, jeopardize the
26 ability to farm and ranch, hinder sustainability practices, and
27 hurt the relationship between the public and the federal
28 government; and



1 WHEREAS, some of the proposed areas for Critical Habitat
2 Designation are state-owned parcels that may be leased to
3 farmers and ranchers, and some are within irrigation water lease
4 areas, raising the concern about diminished availability of
5 irrigation water, which is especially important in this time of
6 severe drought; and
7

8 WHEREAS, the economic impact to Maui County may have been
9 greatly underestimated by federal officials; and
10

11 WHEREAS, even though significant portions of many Maui
12 County farms and ranches are being proposed for designation,
13 many of these farmers and ranchers were not adequately notified
14 of the proposed designation by the United States Fish and
15 Wildlife Service; and
16

17 WHEREAS, in determining which properties are proposed for
18 Critical Habitat Designation, the United States Fish and
19 Wildlife Service has acknowledged that it did not make specific
20 determinations as to whether endangered species are located on
21 the properties or whether the properties have the biological
22 elements necessary to support endangered species; and
23


24 WHEREAS, farmers, ranchers, hunters, and others who may be
25 affected by Critical Habitat Designation are not opposed to
26 designating critical habitat for endangered species in
27 appropriate areas such as public lands that are set aside to
28 provide for preservation or rehabilitation, or private lands
29 where the landowner voluntarily agrees to the designation; now,
30 therefore,
31

32 BE IT RESOLVED by the House of Representatives of the
33 Twenty-seventh Legislature of the State of Hawaii, Regular
34 Session of 2013, the Senate concurring, that the United States
35 Department of the Interior Fish and Wildlife Service is
36 requested to work with affected persons and counties to
37 establish reasonable Critical Habitat Designations for
38 endangered species in the State; and



H.C.R. NO. 96

1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Secretary of the
3 United States Department of the Interior; Governor; Mayor of the
4 County of Maui; Mayor of the City and County of Honolulu; Mayor
5 of the County of Hawaii; Mayor of the County of Kauai;
6 Chairperson of the Board of Land and Natural Resources; and
7 Chairperson of the Board of Directors of the Office of Hawaiian
8 Affairs.

9
10
11 OFFERED BY:  _____

MAR 11 2013

